

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Case No. : C.W.P.No.7812 of 2007

Date of Decision : May 22, 2007.

Som Nath Petitioner

Vs.

State of Punjab and another Respondents

CORAM : HON'BLE MR.JUSTICE J.S.KHEHAR.

HON'BLE MR.JUSTICE L.N.MITTAL.

* * *

Present : Mr.Onkar Rai, Advocate
for the petitioner.

* * *

J.S.KHEHAR, J. (Oral) :

Through the instant writ petition, the petitioner has impugned the transfer order dated 15.05.2007 (Annexure P-2), vide which the petitioner has been transferred from Gurdaspur to Nawanshahr.

It is the vehement contention of the learned counsel for the petitioner that the transfer of the petitioner is in clear violation of the policy instructions issued by the State Government, a copy whereof has been placed on the record of this case as Annexure P-1, especially on account of the fact that the petitioner has completed just over two years at the place of his present posting and further that the petitioner is to retire on attaining the age of superannuation in less than two years, on 31.03.2009.

It is not possible for us to accept the aforestated plea, advanced by the learned counsel for the petitioner. The policy instructions issued by

the State Government, on the issue of transfer, are merely broad guidelines and are directory in nature. Since there are no allegations of mala fide or extraneous consideration, we find no justification in interfering with the impugned order. Besides the aforesaid, the petitioner has not impleaded as party respondent, the person likely to be effected in case the petitioner's prayer is allowed.

For the reasons recorded herein above, we find no merit in the instant writ petition and the same is accordingly dismissed.

(J.S.KHEHAR)
JUDGE

May 22, 2007
monika

(L.N.MITTAL)
JUDGE